

1 ABBAS KAZEROUNIAN (SBN 249203)
ak@kazlg.com
2 JASON A. IBEY (SBN 284607)
jason@kazlg.com
3 NICHOLAS BARTHEL (SBN 319105)
nicholas@kazlg.com
4 PAMELA E. PRESCOTT (328243)
pamela@kazlg.com
5 **KAZEROUNI LAW GROUP, APC**
245 Fischer Avenue, Suite D1
6 Costa Mesa, CA 92626
Telephone: 800-400-6808
7 Facsimile: 800-520-5523

8 Attorneys for Plaintiffs: AMANDA HILL

9
10 BROOKS R. BROWN, (SBN 250724)
BBrown@goodwinlaw.com
11 W. KYLE TAYMAN (*pro hac vice*)
KTayman@goodwinlaw.com
12 **GOODWIN PROCTER LLP**
1900 N Street, NW
13 Washington, DC 20036
Tel.: +1 202 346 4000
14 Fax: +1 202 346 4444

15 Attorneys for Defendant:
QUICKEN LOANS, LLC (f/k/a Quicken Loans Inc.)

16 [ADDITIONAL COUNSEL LISTED IN SIGNATURE BLOCK]
17

18 UNITED STATES DISTRICT COURT
19 CENTRAL DISTRICT OF CALIFORNIA
20 WESTERN DIVISION

21 AMANDA HILL and GAYLE HYDE,
22 individually and on On Behalf of All
23 Others Similarly Situated,

24 Plaintiffs,

25 v.

26 QUICKEN LOANS INC.,

27 Defendant.
28

Case No. 5:19-cv-00163-FMO-SP

**JOINT STIPULATION TO STAY
ACTION PENDING
RESOLUTION OF QUICKEN
LOANS, LLC'S APPEAL**

1 Plaintiff AMANDA HILL (“Plaintiff”) and Defendant QUICKEN LOANS,
2 LLC (f/k/a Quicken Loans Inc.) (“Quicken Loans,” and together, with Plaintiff, the
3 “Parties”), through their undersigned counsel, stipulate as follows:

4 WHEREAS, on September 3, 2020, as permitted by the Federal Arbitration
5 Act, Quicken Loans filed a Notice of Appeal of the Court’s order denying its
6 motion to compel arbitration (Dkt. No. 111);

7 WHEREAS, consistent with Fed. R. Civ. P. 1’s mandate to facilitate the just,
8 speedy, and inexpensive determination of every action, a stay pending resolution of
9 the appeal will conserve this Court’s and the Parties’ resources relating to discovery
10 (fact and expert), class certification, summary judgment and other proceedings until
11 the Ninth Circuit (a) determines whether Plaintiff’s claim should be compelled to
12 arbitration or may proceed further in this Court; or (b) remands for additional
13 proceedings in this Court on the arbitration question;

14 WHEREAS, because this is a putative nationwide class action and the bulk
15 of discovery and other proceedings to date have focused upon the arbitration issue,
16 the Parties anticipate substantial fact and expert discovery on class and merits
17 issues, as well as related motion to compel practice, in advance of the current
18 deadlines for fact (January 8, 2021) and expert (March 23, 2021) discovery (Dkt.
19 No. 105);

20 WHEREAS, Plaintiff’s deadline to file any motion to strike under Fed. R.
21 Civ. P. 12(f) as to the Answer (Dkt. No. 110) is September 9, 2020;

22 WHEREAS, Quicken Loans’ deadline to amend its Answer (Dkt. No. 110) as
23 of right pursuant to Fed. R. Civ. P. 15(a)(1)(A) is September 9, 2020;

24 WHEREAS, under the existing case schedule, class certification and
25 summary judgment motions are due on April 14, 2021 and May 21, 2021,
26 respectively (Dkt. Nos. 88, 89);
27
28

1 WHEREAS, this Stipulation is without prejudice to Plaintiff's or Quicken
2 Loans' right to seek a stay from this or any other court on any applicable grounds in
3 the future;

4 WHEREAS, this Stipulation is without prejudice to, or waiver of, any rights
5 or defenses otherwise available to Plaintiff or Quicken Loans in this action,
6 including but not limited to with regard any right to seek, upon expiration of the
7 stay (and provided that this matter is not compelled to arbitration), resolution of a
8 discovery dispute for discovery sought from a party or third-party; and

9 WHEREAS, there is good cause to stay all proceedings in this action pending
10 the resolution of Quicken Loans' appeal in the interests of judicial economy and to
11 conserve the resources of the Parties and this Court.

12 WHEREFORE, subject to this Court's approval, IT IS HEREBY
13 STIPULATED AND AGREED AS FOLLOWS:

14 1. All proceedings in this action, including all discovery of any party
15 and/or third-party and all outstanding discovery subpoenas to any third-party, are
16 stayed pending the resolution of Quicken Loans' appeal (see Dkt. No. 111);

17 2. Plaintiff's deadline to file any motion to strike under Fed. R. Civ. P.
18 12(f) as to the Answer shall be three (3) weeks from the lifting of the stay in this
19 matter, provided the action is not ordered to arbitration by the Ninth Circuit;

20 3. Quicken Loans' deadline to file any amended Answer as a matter of
21 course pursuant to Fed. R. Civ. P. 15(a)(1)(A) shall be three (3) weeks from the
22 lifting of the stay in this matter, provided the action is not ordered to arbitration by
23 the Ninth Circuit;

24 4. The Parties shall file a joint status report with this Court, setting forth
25 their respective positions for additional proceedings (if any) in this action, within
26 14 days after the issuance of the Ninth Circuit's mandate in this action; and

27 5. During the appeal, Plaintiff or Quicken Loans may seek relief from the
28 stay by appropriate motion to this Court upon a showing of good cause.

1 WHEREFORE, IT IS SO STIPULATED, and the Parties respectfully jointly
2 request that this Court enter an order approving this Stipulation.

3
4 Respectfully submitted,

5 Dated: September 4, 2020

6 By: /s/ W. Kyle Tayman
7 **BROOKS R. BROWN**
8 *BBrown@goodwinlaw.com*
9 **W. KYLE TAYMAN (pro hac vice)**
10 *KTayman@goodwinlaw.com*
11 **GOODWIN PROCTER LLP**

12 **YVONNE W. CHAN (pro hac vice)**
13 *YChan@goodwinlaw.com*
14 **GOODWIN PROCTER LLP**
15 100 Northern Avenue
16 Boston, MA 02210
17 Tel.: +1 617 570-1000
18 Fax.: +1 617 523-1231

19 **LAURA A. STOLL (SBN 255023)**
20 *LStoll@goodwinlaw.com*
21 **GOODWIN PROCTER LLP**
22 601 S. Figueroa Street, 41st Floor
23 Los Angeles, CA 90017
24 Tel.: +1 213 426 2500
25 Fax.: +1 213 623 1673

26 **JEFFREY B. MORGANROTH**
27 *(pro hac vice)*
28 *jmorganroth@morganrothlaw.com*
MORGANROTH AND
MORGANROTH PLLC

Attorneys for Defendant:
QUICKEN LOANS LLC (F/K/A
QUICKEN LOANS INC.)

1 Dated: September 4, 2020

By: /s/ Jason A. Ibey
ABBAS KAZEROUNIAN
ak@kazlg.com
JASON A. IBEY
jason@kazlg.com
NICHOLAS BARTHEL
nicholas@kazlg.com
PAMELA E. PRESCOTT
pamela@kazlg.com
KAZEROUNI LAW GROUP, APC
245 Fischer Avenue, Suite D1
Costa Mesa, CA 92626
Telephone: 800-400-6808
Facsimile: 800-520-5523

FRANK S. HEDIN
fhedin@hedinhall.com
DAVID W. HALL
dhall@hedinhall.com
HEDIN HALL, LLP
Four Embarcadero Center, Suite 1400
San Francisco, CA 94104
Telephone: 415-766-3534
Facsimile: 415-402-0058

Attorneys for Plaintiff: AMANDA HILL